



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

UTAH DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

DATE: 4-25-02
FAX #: 1-801-342-2262
ATTN: ALISA BURR
COMPANY: WELLS FARGO BANK
DEPARTMENT: _____
NUMBER OF PAGES: (INCLUDING THIS ONE) 11
FROM: AMBER FORTNER

If you do not receive all of the pages, or if they are illegible, please call (801)538-5340.
We are sending from a sharp facsimile machine. Our telecopier number is (801)359-3940.

MESSAGES:

HERE IS AN EXAMPLE FROM ANOTHER
MINE. I WROTE ON PAGES FOR WHICH
WE HOLD THE ORIGINALS. I CAN BE REACHED @ 538-5437
THANKS
AMBER

Important: This message is intended for the use of the individual or entity of which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.

TRANSACTION REPORT

P. 01

APR-25-2002 THU 10:34 AM

FOR: OIL, GAS & MINING

801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
APR-25	10:31 AM	18013422262	3' 06"	6	SEND	OK	482	

TOTAL : 3M 6S PAGES: 6

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MESSAGES:

HERE IS AN EXAMPLE FROM ADDRESS

NAME. I WROTE ON PAGES FOR WHICH

WE HOLD THE REGISTRARS. I CAN BE REACHED @ 538-543

THANKS

AMBER

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340. We are sending from a sharp facsimile machine. Our telecopier number is (801) 359-3940.

FROM: AMBER FORNER

NUMBER OF PAGES: (INCLUDING THIS ONE) 10

m/045/049

4/25/02

I fax Alisa Burr these pages because
she said that they don't do that
so I faxed her these to show her
that it has been done like this
she told me that the legal people
claim this CD was set up wrong.

Amber



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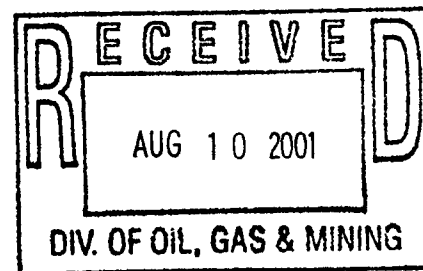
801-359-3940 (Fax)

801-538-7223 (TDD)

July 27, 2001

EXAMPLE
OF COVER
LETTER

Wells Fargo Bank
55 South Blanding
Blanding, Utah 84511



Attention: Kelvin Balch, Branch Manager

Re: Reclamation Surety, Certificate of Deposit for Holliday Construction, Inc., Lime Ridge Mine Site,
M/037/081, San Juan County, Utah, Certificate of Deposit No. , Principal Amount
\$35,620.17

This letter describes the mutually agreed upon instructions of the below signed parties to Wells Fargo Bank (Bank), regarding the control, redemption, and release of Bank's above-described certificate of deposit (CD), which is being used as a surety to guarantee the availability of reclamation funds for Holliday Construction, Inc.'s, Lime Ridge Mine, located in San Juan County, Utah. It is the intention of the parties that the CD be utilized as surety to guarantee that \$35,620.17 in reclamation funds will be available to the State of Utah, Division of Oil, Gas & Mining (Division) upon demand in the event that the operator(s) of the Mine Site are unable or unwilling to complete reclamation of the mine site in compliance with state law and regulations (Title 40-8-14(7), and Rules R647-4-114 & R647-5-101).

Ownership and Renewal:

Ownership of the CD is retained by Holliday Construction, Inc. a Utah corporation, ("Owners"), but it is held by Bank *for the benefit of* the State of Utah, Division of Oil, Gas & Mining and is subject to the terms and conditions described in this agreement. The CD shall automatically renew indefinitely until either redeemed or released by the Director of the Division.

Redemption:

The CD may only be redeemed (i.e., called on demand), pursuant to the written instruction or demand of the Director of the Utah Division of Oil, Gas & Mining to the Bank. Upon the instruction and demand of the Director, the full initial amount of the CD shall be transferred to the State of Utah, Division of Oil Gas and Mining. Owner(s) agree and irrevocably instruct Bank that neither the Owner(s), nor any other person claiming an ownership interest in the CD which is derived from the Owner(s), shall have the authority to

EXAMPLE

prevent the Bank from carrying out the Director's instruction to redeem the CD. Upon redemption, any accrued interest in excess of the initial amount of the CD shall be transferred to Owners' control, or if Owner(s) do not instruct the Bank, the accrued interest shall be reinvested in the CD. If a signature card is prepared, it shall be drafted consistent with the requirement that only the Director of the Division may redeem the CD.

Release:

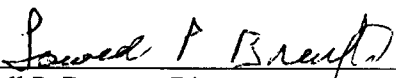
The bank shall release the CD only upon the written instruction of the Director of the Division to the Bank. Upon release, the terms and conditions of this agreement are no longer in effect, and the unconditioned control of the CD shall be returned to the Owners, or their legal successors-in-interest.

Accrued Interest:

Prior to release or redemption, all interest which accrues by the CD shall be 1) dispersed quarterly to the Owner(s) as the Owner(s) may instruct the Bank, or 2) shall be reinvested in the CD until such time the Owner(s) may instruct the Bank where to transfer such interest. In no event shall the Bank transfer any amount from the CD which would cause the redemption amount of the CD to be less than the initial amount, \$35,620.17. All tax liabilities for accrued interest shall remain the responsibility of the Owners.


Bank will not be held liable for any dispute between the parties.

Agreed Upon By:



Lowell P. Braxton, Director
Utah Division of Oil, Gas & Mining

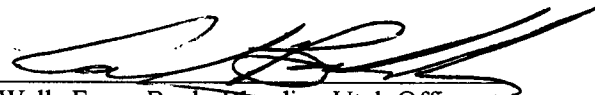
Date: 7/30/01



Holliday Construction, Inc.
Name and Title of Owner
Tax ID Number: 87-0581013

Date: 8-6-01

Agreed to:



Wells Fargo Bank, Blanding Utah Office
Kelvin Balch, Branch Manager

Date: 8-6-01

EXAMPLE

Time Account Receipt/Disclosure

**WELLS
FARGO**

Bank name

Wells Fargo Bank Northwest, N.A.

Time Account number

Date opened

07/27/2001

Term of Time Account

36 months days

Maturity date

Your Time Account will mature on

07/27/2004

Interest rate

4.40

Fixed rate

X

Variable rate

Annual percentage yield

4.50

Interest will be paid

EVERY 03 MONTHS AND AT WITHDRAWAL

The method of interest payment will be

BY ADDING TO PRINCIPAL

Renewability

YOU WILL AUTOMATICALLY RENEW MY TIME ACCOUNT
AT MATURITY UNLESS I NOTIFY YOU OTHERWISE.

Taxpayer Identification Number (TIN)

87-0581013

The Bank is opening the above described Time Account for your deposit of

THIRTY FIVE THOUSAND SIX HUNDRED TWENTY AND 17/100

\$ **, \$35,620.17

Your name and address

JERRY HOLLIDAY CONSTRUCTION INC FBO UT STATE DIV OF OIL GAS & MINING
LIME RIDGE MINE PERMIT M/037/081
PO BOX 145801
SALT LAKE CITY UT 84114

07/27/2001 12:34

PROMOTION

U6810 02768 Bank# 0119

This is a receipt. It need not be presented at the time you obtain payment from the Bank and, therefore, it is not evidence of an ongoing deposit relationship.

(5-99-8154-J)

38A13

* This is what we hold as original

*WE ONLY HAVE COPY OF THIS PAGE
EXAMPLE

WELLS
FARGO

Time Account Signature Card/W-9

Request for Taxpayer Identification Number and Certification (Substitute Form W-9)

Certification: Under penalties of perjury, I certify that:

1) The number shown on this form is my correct Taxpayer Identification Number, and
2) UNLESS I HAVE CHECKED ONE OF THE BOXES BELOW, I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an Individual Retirement Arrangement (IRA), and payments other than interest and dividends).

- ☐ I am subject to backup withholding
☐ I am exempt from backup withholding

Depositor(s) name and address

JERRY HOLLIDAY CONSTRUCTION INC FBO UT STATE DIV OF OIL GAS & MINING
LIME RIDGE MINE PERMIT M/037/081
PO BOX 502
BLANDING UT 84511 0502

Signature

X

Account number

Taxpayer identification number

87-0581013

- ☐ Temporary signature card
☐ Need certification

Signature:

I have received a copy of the Bank's Time Account Receipt/Disclosure, applicable account agreement, and applicable fee and information schedule and agree to be bound by them.

Signature(s)

X

Lowell P Braxton

X

X

Lowell P Braxton, Director
of Lt. Div of Oil Gas & Mining

X

Date

W-9 (11-00-27428-1) DU

Carol Pionke
Customer Service Rep.

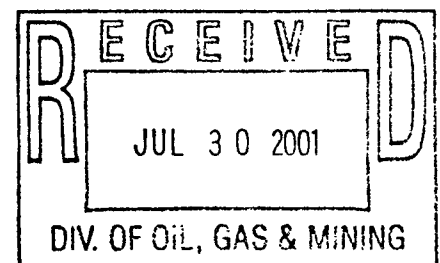
WELLS
FARGO

Blanding
55 South Main
Blanding, UT 84511
435 678-2232
435 678-2082 Fax

Wells Fargo Bank Northwest

I need Lowell
to sign both
forms & return to me

Thank,
Carol
Pionke



EXAMPLE

8. This Certificate is in effect on notice of its revocation and has te indicated below and shall remain in effect until the B. gives the Customer's written a reasonable opportunity to act on such notice.
9. If the Customer is a tribal government or tribal government agency, the Customer waives Sovereign Immunity with respect to all matters directly or indirectly referred to in this Certificate, and submits to the jurisdiction of, and the Bank may bring any legal proceeding directly or indirectly relating to a matter referred to this Certificate, in a state or federal court.

DATE: 7-27-01

Certified/Agreed to by:

Signature: _____ Signature: _____

Name: _____ Name: _____

Title: _____ Title: _____

Imprint Seal (if any)

AUTHORIZED SIGNERS - Check the appropriate box and then complete the designated Signature Capture section(s). If neither box is checked and one of the Signature Capture sections is left blank the Bank will be authorized to treat the sections as having been completed identically.

☐ Complete "Deposits and Related Services Only" section.

☐ Complete both of the following sections but if either section is blank and the other is completed, the Bank will be authorized to treat the sections as having been completed identically.

If the customer is a sole proprietor, any Authorized Signer named below shall hereby be appointed as the Customer's attorney-in-fact for the purpose of exercising the powers granted by this Certificate, and this power of attorney shall continue to be effective if the Customer becomes disabled or incompetent and until the Bank receives actual notice of this Certificate's termination.

SIGNATURE CAPTURE - Deposits and Related Services Only
Authorized Signers (Only one signer is required)

Name	Title (if any)	Specimen Signature
<u>Lowell P Braxton</u>	<u>Director of UT</u>	<u>Lowell P Braxton</u>
	<u>Div of Oil, Gas, & Mining</u>	
_____	_____	_____
_____	_____	_____
_____	_____	_____

SIGNATURE CAPTURE - Credit and Related Services Only
Authorized Signers

Number of signers required (If left blank, only one signer is needed) _____

Name	Title (if any)	Specimen Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

